

Patents
Customer No.: 006980
Docket No.: VAND10

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:)	Confirmation Number: 7671
)	
Johannes Hendrikus van Lith et al.)	Group Art Unit: 3682
)	
Serial No.: 10/619,398)	Examiner: Charles, Marcus
)	
Filed: 15 July 2003)	
)	
For: TRANSVERSE ELEMENT FOR)	
A DRIVE BELT FOR A)	
CONTINUOUSLY VARIABLE)	
TRANSMISSION)	

RESPONSE TO NOTIFICATION OF NON-COMPLAINT APPEAL BRIEF

MAIL STOP APPEAL BRIEF-PATENTS

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Atlanta, GA 30308-2216
13 August 2007

Sir:

In response to the *Notification of Non-Compliant Appeal Brief*, mailed 7 August 2007, Applicant submits an *Amended Appeal Brief*. In the *Notification*, Examiner indicated that the originally filed *Appeal Brief* was non-complaint because of deficiencies in summary of claimed subject matter section. Applicant respectfully submits that the *Amended Appeal Brief* is fully complaint and corrects the deficiencies of the originally filed *Appeal Brief*. In particular, in the *Amended Appeal Brief* the summary of claimed subject matter section mentions all of the appealed independent claims, and “maps” limitations of the claims to the specification by page, paragraph, and line number or drawing reference character.

Applicant recognizes that in accordance with MPEP§ 1205.03(B) to remedy an appeal brief that is non-complaint due to deficiencies in the summary of claimed subject matter section “a paper providing a summary of the claimed subject matter...will suffice.” However, during a telephone conversation with Primary Examiner Charles Marcus, Examiner directed the undersigned to submit an *Amended Appeal Brief* including the amended summary of claimed subject matter section along with the remaining sections of the originally filed *Appeal Brief*. For this reason, Applicant is providing the *Amended Appeal Brief*, rather than a paper containing solely the summary of claimed subject matter.

Applicant respectfully submits that the *Amended Appeal Brief* is fully complaint with 37 CFR§ 41.37.

No fees are believed due with this submission, nevertheless, the Commissioner is expressly authorized to charge any fees that may be due to Deposit Account 20-1507.

Certificate of Transmission:

I certify that this correspondence is being submitted by e-filing to the U.S. Patent and Trademark Office in accordance with §1.8 on August 13, 2007, via the EFS-Web electronic filing system.

/Filip A. Kowalewski 60026/

Filip A. Kowalewski USPTO Reg. No. 60,026

August 13, 2007

TROUTMAN SANDERS LLP
Bank of America Plaza
600 Peachtree Street, N.E., Suite 5200
Atlanta, Georgia 30308-2216
United States
Phone: 404.885.3487
Fax: 404.962.6654
DATE: 13 August 2007

Respectfully submitted,

TROUTMAN SANDERS LLP

/Filip A. Kowalewski 60,026/

Filip A. Kowalewski

USPTO Reg. No. 60,026